



Kirklees Council  
Planning & Building Control  
Growth and Regeneration  
Civic Centre 1  
High Street  
Huddersfield  
HD1 2NF

21<sup>st</sup> January 2022

Dear Nick Hirst,

**Application: 2021/62/93644/E**

**Proposal: Erection and operation of grid-connected solar photovoltaic farm, with ancillary infrastructure and landscaping and biodiversity enhancements | Low Farm, Wakefield Road, Flockton, Huddersfield, WF4 4BB**

### **Objection – detrimental impact to ancient woodland**

As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. We own over 1,000 sites across the UK, covering over 30,000 hectares and we have over 500,000 members and supporters.

The Trust **objects** to planning application 2021/62/93644/E on the basis of potential damage to Grange/Hepper/Denby Woods (grid reference: SE2413016534) and Harry Royd Clough Wood (grid reference: SE2461216551), two Plantation on Ancient Woodland Sites designated on Natural England's Ancient Woodland Inventory (AWI).

#### Ancient Woodland

Natural England<sup>1</sup> and the Forestry Commission defines ancient woodland *“as an irreplaceable habitat. It is a valuable natural asset important for: wildlife (which include rare and threatened species); soils; carbon capture and storage; contributing to the seed bank and genetic diversity; recreation, health and wellbeing; cultural, historical and landscape value [which] has been wooded continuously since at least 1600AD.*

It includes: *“Ancient semi-natural woodland [ASNW] mainly made up of trees and shrubs native to the site, usually arising from natural regeneration*

*Plantations on ancient woodland sites – [PAWS] replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi”*

Both ASNW and PAWS woodland are given equal protection in government's National Planning Policy Framework (NPPF) regardless of the woodland's condition, size or features.

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<sup>1</sup> <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>

## **Planning Policy**

The National Planning Policy Framework, paragraph 180 states: *“When determining planning applications, local planning authorities should apply the following principles:*

*c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>63</sup> and a suitable compensation strategy exists;”*

Footnote 63, defines exceptional reasons as follows: *“For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.”*

The Council should also have regard for **Policy LP30 (Biodiversity and Geodiversity)** and **Policy LP33 (Trees)** of the **Kirklees Local Plan Strategy and Policies (2019)** with respect to the protection of ancient woodland.

## **Impacts to Ancient Woodland**

This application is for the construction of a solar farm within close proximity to two areas of ancient woodland. Natural England has identified the impacts of development on ancient woodland within their standing advice. This guidance should be considered as Natural England’s position with regards to development impacting ancient woodland:

*“Indirect effects of development can also cause the loss or deterioration of ancient woodland, ancient and veteran trees by:*

- *breaking up or destroying working connections between woodlands, or ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects*
- *reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species*
- *reducing the resilience of the woodland or trees and making them more vulnerable to change*
- *increasing the amount of dust, light, water, air and soil pollution*
- *increasing disturbance to wildlife, such as noise from additional people and traffic*
- *increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the woodland or tree root protection areas*
- *increasing damaging activities like fly-tipping and the impact of domestic pets*
- *increasing the risk of damage to people and property by falling branches or trees requiring tree management that could cause habitat deterioration*
- *changing the landscape character of the area”*

The Woodland Trust is specifically concerned about areas where the wood edge overhangs the solar panels, as boundary trees may become safety issues and be indiscriminately lopped/felled, resulting in a reduction of the woodland canopy and threatening the long-term retention of such trees. In addition, the noise and dust pollution generated from the development - during both construction and operational phases – may result in adverse impact on the adjacent ancient woodland.

We are also concerned that an arboricultural survey has not been submitted to accompany this development. We request that until such time as a report is submitted the application is delayed or refused due to lack of information.

### **Mitigation**

Natural England's standing advice for ancient woodland, states: "*Mitigation measures will depend on the type of development. They could include:*

- *putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution*
- *measures to reduce noise or light*
- *designing open space to protect ancient or veteran trees*
- *rerouting footpaths and managing vegetation to deflect trampling pressure away from sensitive locations*
- *creating buffer zones"*

We note that the applicants appear to have provided the ancient woodlands with a buffer zone area, however we are unable to determine the size of the buffer zone afforded. Natural England's standing advice recommends the following buffer zones to ancient woodland:

*"For ancient woodlands, the proposal should have a buffer zone of **at least 15 metres** from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic."*

### **Conclusion**

The Trust would like to lodge a **holding objection** to this planning application unless the applicant is able to demonstrate that a 15m buffer in line with Natural England's Standing Advice has been afforded to the two areas of ancient woodland on site.

If you would like clarification of any of the points raised please contact us via [campaigning@woodlandtrust.org.uk](mailto:campaigning@woodlandtrust.org.uk)

Yours sincerely,

Nicole Hillier  
Campaigner – Woods under Threat